

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Tomoaki MASUDA et al.**

Art Unit: **1792**

Application Number: **10/581,610**

Examiner: **Alain Bashore**

Filed: **June 5, 2006**

Confirmation Number: **5485**

For: **METHOD OF FABRICATING POLARIZING FILM, POLARIZING FILM, POLARIZER, OPTICAL FILM AND IMAGE DISPLAY DEVICE**

Attorney Docket Number: **062589**

Customer Number: **38834**

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

March 23, 2009

Sir:

This paper is submitted in response to the Office Action dated February 20, 2009.

In the Office Action, restriction is required between Group (I), claims 1-7 and Group (II), claims 8-12.

Applicants hereby elect **Group (I), claims 1-7** for prosecution in this application. This election is made **with traverse** as set forth below.

The restriction requirement is respectfully traversed in-so-far as it is alleged in the Office Action that the subject matter of claim 1 is obvious over JP 7-134210 or WO 2004013667. In particular, the assertion in the Office Action that the selection of bath temperatures would have been obvious is respectfully traversed.

It is noted that both references are cited in the International Search Report (ISR) of this application as "A" documents, i.e., defining the general state of the art but not considered to be of particular relevance.

Also, the Japanese equivalent to WO'667, together with the drawbacks of processes disclosed therein, are discussed in the introduction of the specification (pages 2-3).

Thus, the present invention as set forth in present claim 1 would not have been obvious over any of JP 7-134210 and WO 2004013667 taken alone or in any combination.

In view of the above, it is submitted that the restriction requirement should be withdrawn.

It is understood that Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

If this paper is not timely filed, Applicant(s) respectfully petition(s) for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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